ANNUAL REPORT

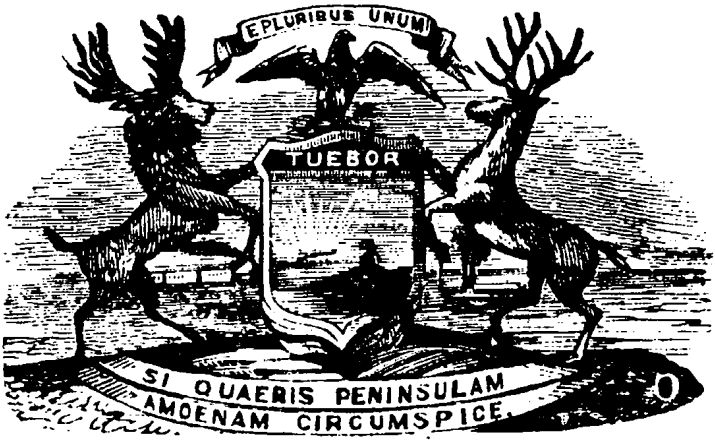
OF THE

ATTORNEY GENERAL

OF THE

STATE OF MICHIGAN,

FOR THE YEAR 1862.



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1862.

REPORT.

ATTORNEY GENERAL'S OFFICE,
Lansing, December 31st, 1862.

To the Honorable the Legislature of the State of Michigan:

In obedience to the requirements of the statute, I have the honor herewith to submit my official report for the year 1862:

The case of The People *vs.* John McKinney, the late State Treasurer, in which he was charged with embezzlement, under sec. 5771 compiled laws, mentioned in my last report as pending in the Supreme Court on bill of exceptions, was argued and submitted at the January term of said Supreme Court, at Lansing; and subsequently at the April term, at Detroit, said Court rendered its decision therein, overruling the exceptions, and directing the Circuit Court for the county of Ingham to proceeed to give judgment upon the verdict, against the defendant. I subsequently appeared on behalf of the people, at the May term, 1862, of the said Circuit Court for the county of Ingham, and filed therein a certified copy of said order and decision, and thereupon a motion for a new trial made by defendant's counsel was argued and submitted, and was overruled by the Court, and at the same term the defendant was sentenced to be imprisoned in the State Prison, at Jackson, for the term of seven years, where he has since been in confinement under said sentence.

The other information against him, under section 5772 of the compiled laws, has not been further prosecuted.

At the last January term of the Supreme Court, the case of the Michigan Southern and Northern Indiana Railroad Company *vs.* Daniel L. Case, late Auditor General, which had been

argued and submitted at the previous October term of said Court, was also decided, and the decree of the Circuit Court for the county of Wayne, in Chancery, dismissing the bill with costs, was affirmed. The case involved the question of the legality of the specific tax charged against the Company on certain items therein specified, for the year 1858, and consequently affected the question of the amount of specific tax which the Company would be legally liable to pay for subsequent years. On two of the items the Court was equally divided in opinion. The case, and the questions involved and decided, will be found reported in the 9th Michigan Reports, page 448.

The amount of annual tax called in question was $11,718 34; and the annual amount of tax on the items on which the Court was equally divided in opinion is $3,265 95. This last amount I am informed the Company still contests, and as will be seen hereafter in this report, it is again the subject of litigation between the Company and the Auditor General.

At the last April term of the Supreme Court, the case of The People *vs.* Addison P. Cook, was argued on the part of the defendant, and submitted on the part of The People without argument. In this case, which was on an information for perjury, the conviction in the Court below was, by the Supreme Court, quashed, on the ground that the defendant had been once tried on the same charge and acquitted. At the same April term I also appeared for the people, and argued the case of William Maher *vs.* The People, and the case of Thomas Delaney *vs.* The People, in each of which cases the judgment was reversed. The case of Maher was a charge of an assault with intent to murder, and of Delaney, a charge of lewd and lascivious cohabitation.

At the same term I also, on behalf of the people, and argued the following cases, viz: George W. Washburn *vs.* The People, William Hicks *vs.* The People, John Davis *vs.* The People, and The People *vs.* Charles F. Clark. Washburn in the Court below had been convicted of manslaughter; Hicks of incest;

and Davis of burglary; and in each case the judgment of the Court below was affirmed. The question whether it was necessary to set forth and aver in the information filed under the law of 1859, that a preliminary examination of the defendant, on the charge, had been had before a magistrate, and a holding for trial thereon, was involved in each of these cases, in addition to other points raised. In the case of The People *vs.* Charles F. Clark, which was on an information charging him with conspiring with a person unknown, by divers false pretenses, to cheat and defraud the complainant of his moneys, &c., and which was taken to the Supreme Court from the Recorder's Court of the City of Detroit, on bill of exceptions, the jury having rendered a verdict of guilty against the defendant, the exceptions were over-ruled and the Court below directed to give judgment against the defendant, on the verdict. At the same term, in the case of Carlton *vs.* The People, submitted in October, 1861, a decision was rendered affirming the judgment of the Court below, the Court being equally divided in opinion on one of the points raised by the plaintiff in error. Also, in the case of Cross *vs.* The People, submitted at same October term, 1861, the errors alleged were overruled, except as to the form of the order made in the Court below, which order was quashed, and the cause remanded to the Court below for further proceedings. The case was a proceeding under the Bastardy Act, R. S. 1846, chap. 42.

At the same term of April, 1862, in the case of John Drennan *vs.* The People, argued and submitted at the April term, 1861, the judgment of the Court below was reversed. The case was a charge of assault with intent to murder.

At the October term of the Supreme Court, 1862, I also appeared on behalf of the People, and submitted on briefs the case of The People *vs.* Charles LeRoy, *et al.*, which is still held by the Court under advisement. I also submitted briefs in the case of Alexander Beach *vs.* The People, which case was subsequently, at the same term argued by counsel and submitted, and the decision of the Court was rendered reversing

the judgment of the Court below, and ordering a new trial. The information in this case charged the defendant below, Beach, with maintaining a nuisance, in keeping up a certain mill pond, near Jonesville, in the county of Hillsdale.

In the chancery suit commenced by my predecessor, on behalf of The People *vs.* Ebenezer Warner, respecting a certain wharf, at the lower end of the canal at the Sault St. Mary, and which is referred to in my last report, no further proceedings have been had since the making of said report,—the Legislature, at the extra session in 1862, having made provision, by act No. 20 of said session, page 51, for an arrangement and settlement of the matter in dispute, and the removal of the wharf, by the Canal Board of Control, in accordance with the terms of a proposed amicable arrangement referred to in my last report, but I am not advised that any final action has yet been had in the premises by said board, under said act.

The case of the mortgage foreclosure of The People *vs.* Dewey, Hazelton *et al.*, in the Genesee Circuit, in Chancery, has not been brought on to a final hearing as yet, owing in part to a temporary suspension of Courts in said Circuit, during the excitement attendant upon the raising of volunteers for the war the past summer, and in part to the absence of counsel, and to sickness ; but some further evidence has been taken, and the proofs may be considered as closed and the cause ready for hearing.

The three chancery suits in relation to taxes, commenced last year against the Auditor General, two in Bay County and one in the County of Wayne, and which are specified in my last report, are all at issue by the filing of answers and replications in the two former, and demurrer in the last, but no proofs have been taken in the former, nor hearing had of the one pending, in Wayne Circuit, although in the last the brief has been prepared for the hearing.

In the suit in the Ingham Circuit, which was commenced by summons in November, 1861, on behalf of The People against the late State Treasurer and his bail, on the official bond of

that officer, a declaration has been filed, and all the defendants therein, viz: John McKinney, Silas M. Holmes, Whitney Jones, Champlin Havens and Allen R. Burr, have appeared by their respective attorneys.

Three of the defendants, Holmes, Burr and Jones, have filed their answer to part of the declaration, and pleaded to the remainder, and issue has been joined on the demurrer. The other defendants have put in their plea and notice of special matters, in defense.

The questions raised by the demurrer have been submitted to the Court on written briefs, and are at present held by the Court under advisement.

In August last the Michigan Southern and Northern Indiana Railroad Company filed its bill of complaint in the Circuit Court for the County of Wayne, in Chancery, against the Auditor General, to restrain him from collecting the sum of $19,017 90, being the amount claimed by said officer to be due from said Company for balance of specific taxes unpaid in account charged against said Company for the years 1858, 1859, 1860 and 1861, up to June 1st, 1862, and obtained and served on him a temporary injunction. I caused the appearance of the Auditor General to be entered in said cause, and have since drawn up and filed his answer therein, and served a copy on the Company's solicitor, but the time for filing replication thereto has not yet expired.

The Company in this suit again seek to raise the question of the legality of the specific tax on the two items in the former suit against the late Auditor General, in regard to which the Supreme Court was equally divided in opinion, (see 9th Mich. Reports, p. 448,) and also a question in regard to interest on specific taxes after they are due and payable, when not paid at maturity.

The amount of tax per year involved and thus sought to be contested by the Company, is $3,265 95.

The case of The People *vs.* the Phœnix Bank, under the provisions of Joint Resolution No. 1, Laws of 1861, p. 577, has

been continued in charge of the late Attorney General, but as I am advised the same has not yet been heard or argued, but is still pending in the Court of Appeals of the State of New York.

Under a resolution found in the Journal of the Senate of this State, session of 1862, January 17th, p. 171, a committee of three of that body was appointed to investigate the military expenditures of the State during the year 1861, and to report the result of their investigations to the Attorney General within thirty days thereafter. Said committee have made their report to me, but on an examination of the same, not finding anything which appeared to call for any official action on my part, and the resolution not specifying for what purpose said report was so directed to be made to this office, the same has been printed, and a copy thereof is herewith transmitted to the Legislature, that they may be advised of the result of the labors of said committee, and may take such action in regard to said report as they may deem advisable. From said report it appears that the committee, as the result of their investigation, unanimously came to the conclusion "that the military expenditures of the State during said year 1861, were conducted with ability and fidelity, and that strict economy characterized generally every branch of the service, and that the several officers and agents having charge of the details of those expenditures, are justly entitled to the confidence of the people of the State, as having discharged their duties impartially, honestly and faithfully."

The official correspondence of this office each year, is a work of no small labor, and in addition to my own services, the duties of the office have called in frequent requisition the labors of a clerk, thus demonstrating the wisdom and propriety of the legislative provision for such assistance.

The annual reports of many of the Prosecuting Attorneys to this office, for this year, as oftentimes heretofore, have been made long after the time required by law, and some few, it will be seen, still neglect to make any report. In the case of all

those who neglected to make report for 1861, I have, during the past year, 1862, caused written notices of such neglect, in every instance, to be sent by mail to the County Treasurer of the respective counties, as required by sec. 184, page 141, 1st vol. comp. laws, but as no special provision seems to have been made directing such County Treasurer to cause a prosecution to be instituted to recover the penalty in such case provided in sec. 397, page 203, 1st vol. comp. laws, it is probable that many of them wholly neglect to see that the penalty is collected, and hence some of the Prosecuting Attorneys may have become less attentive to their duties in this respect.

I herewith transmit a schedule containing an abstract of all the annual reports of the several Prosecuting Attorneys for their respective counties, that have been made to this office for the year 1862, being from thirty-eight counties. From the other counties of the State no report for said year has been received.

All of which is respectfully submitted.

CHARLES UPSON,
Attorney General.

ABSTRACT OF REPORTS OF PROSECUTING ATTORNEYS,

BY COUNTIES, FOR THE YEAR 1862.

ALLEGAN COUNTY.

SILAS STAFFORD, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Bigamy,	1	Convicted—State Prison 3 years.
Seduction,	2	" " 4 years.
Obtaining goods under false pretences,	3	Acquitted.
Willfully resisting an officer,	4	"

ALPENA COUNTY.

O. T. B. WILLIAMS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Resisting an officer,	1	Nol. Pros.
Embezzlement,	1	Pending.

In Justice's Court.

Petit larceny,	3	1 fined $5 ; 1 fined $2 ; 1 fined $10.
Bastardy,	1	Bound over.
Seduction,	2	Recognized to appear at circuit court.
Bigamy,	1	Discharged.
Resisting an officer,	1	Discharged.
Violation of liquor law,	1	Fined $'0 and costs.
Assault and battery,	3	2 Acquitted ; 1 fined $5.
To keep the peace,	1	Bail given in sum of $300.

BRANCH COUNTY.

JOHN W. TURNER, *Pros. Att'y.*

In Circuit Court.

CHARGES.	No.	CONDITION OF CASES.
Malicious injury to dwelling-house,	4	1 convicted, sentence suspended, discharged on his own recognizance; 1 fined $100 00; 2 fined $50 00 each—paid.
Assault and battery with intent to kill,	4	1 nol. pros. by order of the Court; 1 convicted of simple assault, fined $30 00; 2 convicted of assault and battery, fined $100 00 each—fines paid.
Larceny,	2	1 no trial, recognizance estreated, amount $400, $250 paid; 1 convicted, sentence suspended.
Burglary and larceny,	3	1 sent to State Prison for 2 years and 3 months; 1 for 4 years; 1 for 3 years.
Obtaining property by false pretences,	3	1 acquitted; 2 convicted, broke jail and escaped.
Larceny from dwelling,	1	State Prison 2 years.
Bastardy,	1	Pending.
Forgery,	1	Pending.
Assault and battery on an officer while executing process,	1	Pending.
Perjury,	1	Pending.
Marrying a couple contrary to statute,	1	Acquitted.
Incest with daughter,	2	1 pending; 1 sent to State Prison for 10 years.
Assault and battery with intent to commit a rape.	1	Convicted of assault and battery, sentenced to 30 days in jail and fined $100—fine not paid.

In Justice's Court.

Assault and battery,	35	7 fined $5 each; 4 fined $10 each; 1 fined $50; 1 fined $25; 7 fined $3 each; 2 fined 6 cents each; 1 fined $1; 4 acquitted; 2 fined $20 each; 3 sent to jail 10 days each; 1 fined $7 50 and jail 15 days.
Exciting disturbance at school meeting,	2	1 fined $3; 1 acquitted.
Larceny,	11	2 acquitted; 2 fined $1; 1 fined $5; 1 jail 15 days; 1 fined $3; 1 fined $10; 2 fined $20; 1 fined $50.
Disturbing religious meeting,	5	4 fined $30; 1 fined $10.

BAY COUNTY.

THEODORE C. GREIR, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Attempt to commit murder,	1	State Prison for life.
Petit larceny,	5	2 fined $12 or 22 days in jail; one fined $30 or 60 days in jail; 1 fined $25 or 60 days in jail; 1 discharged.
Assault and battery,	12	3 fined $5 and costs each; 1 fined $0,50 and costs; 1 fined $1 and costs; 5 fined $ 2 and costs; 1 fined $2 and costs; 1 discharged.
Grand larceny,	1	Discharged on examination.
Defacing building,	2	1 discharged on examination; 1 bound over.
Feloniously removing section corner stake,	1	Discontinued.
Application to bind defendant over for threats made,	5	4 Discharged on examination; 1 held to bail; bail given.

BERRIEN COUNTY.

F. O. ROGERS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Forgery,	1	State Prison 1 year.
Larceny,	3	1 acquitted; 1 pending; 1 imprisoned in co. jail.
Adultery,	1	State Prison 3 years.
Seduction,	1	" " 2 years.
Attempt at larceny,	1	" " 2 years.
" " murder,	1	Pending.

CALHOUN COUNTY.

S. C. RHINES, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Forgery,	2	1 State Prison 1 year; 1 State Prison 2½ years.
Keeping house of ill fame,	1	Fined $50, and in default, jail 1 year.
Riot,	1	Ten days in jail.
Assault and battery,	7	3 fined $10 each and costs; 1 jury disagreed; 1 acquitted; 1 30 days in jail and fined $50, and in default of payment, to be further committed for 60 days; 1 fined $6.
Willful and malicious killing of sheep,	1	2 years in prison.
Burglary,	1	4 " " "
Grand larceny,	5	One 4 years in prison; one 1 year in prison; one 2½ years in prison, and two 1½ years in prison each.
Petit larceny,	1	Fined 50c.
Larceny from house in day time,	1	1 month in jail.
Breaking and entering shop in night, with intent to steal,	1	2 years in prison
Breaking and entering school-house with intent to steal,	1	2 years in prison.
	3	Cases nolle prosequo entered.
	6	Cases, informations refused for cause.
Bastardy,	1	Bound over for appearance.
	1	Case, recognizance entered.

CASS COUNTY.

ANDREW J. SMITH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	6	2 fined $3 each; 1 fined $16; 1 fined $5; 1 fined $2 50; 1 acquitted.
Kidnapping,	1	Fine $50.
Larceny,	15	6 fined $10 each; 1 fined $25; 2 ten days imprisonment each; 1 fined $15; 1 fined $12; 1 fined $5; 3 sent to Reform School until 21 years of age.
Sureties of the peace,	3	2 required to recognize for 3 months; 1 released.
Administering poison to animals,	1	Acquitted.
Adultery,	2	1 acquitted; 1 State Prison 1 year.
Bigamy,	1	Fined $25.
Obtaining personal property under false pretences,	2	1 acquitted; 1 three months in jail.
Selling liquor.	2	Fined $10 each.

DELTA COUNTY.

F. B. LOWELL, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
None.		

EATON COUNTY.

S. W. FOWLER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Grand Larceny,	5	1 State Prison 2½ years; 3 for 2 years each; 1 for 1 year.
Burglary,	1	State Prison 6 months.
Arson,	1	Pending.
Adultery,	1	Acquitted.
Petit larceny,	4	Convicted and fined in aggregate $61.
Violation of the liquor law,	5	Convicted and fined in aggregate $50.
Assault and battery,	8	Convicted and fined in aggregate $105.
Assault and battery,	1	Acquitted.
Assault,	1	Sent to House of Correction.
Assault,	1	Fined $2.

EMMET COUNTY.

DENNIS T. DOWNING, *County Clerk.*

(NO PROSECUTING ATTORNEY.)

Justice Court.

CHARGES.	No.	CONDITION OF CASES.
Violation of liquor law,	2	Fined $10 each.
Assault and battery,	1	Fined $5.
Bastardy,	1	Bound over to circuit court.

GENESEE COUNTY.

CHAUNCEY W. WISNER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Burglary,	3	1 sentenced, State Prison 3 years and 6 months; 1 sentenced to State Prison 2 years; 1 pending.
Passing counterfeit money,	5	1 State Prison 3 years; 1 fined $50—paid; 3 pending.
Receiving stolen property,	1	County jail 30 days.
Adultery,	2	Fined $100 each—paid.
Assault with intent to kill,	1	Fined $150—paid.
Incest,	2	Pending.
Obtaining property under false pretenses,	1	Bound over to circuit court.
Malicious trespass,	3	" " " " "
Embezzlement,	1	" " " " "
Petit larceny,	5	Fined.
Assault and battery,	20	Fined.
Selling liquor,	2	Fined $10 each.
Bastardy,	1	Gave bonds.

GRAND TRAVERSE COUNTY.

CHARLES W. MARSH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Breach of the peace,	2	1 bound over to keep the peace, in default of bail went to jail; 1 bound over to keep the peace—gave bail.
Selling liquor,	1	Discharged.

GRATIOT COUNTY.

M. TOMPKINS, JR., *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	4	1 fined $7; 1 fined $10; 1 fined $5; 1 fined $3.
Obstructing an officer in service of process,	1	Bound over.
Complaint to keep the peace.	2	Held to bail 6 months.
Petit larceny,	2	Fined $1 each.
Seduction.	2	Nol. pros.

HOUGHTON COUNTY.

JAY A. HUBBELL, *Pros. Att'y.*

In District Court.

CHARGES.	No.	CONDITION OF CASES.
Assault with intent to kill,	4	2 information filed on recognizance; 1 convicted of assault, 4 mos. in county jail; 1 convicted, 3 years in penitentiary.
Indecent exposure,	1	3 days in county jail.
Injury to dwelling,	1	3 months in county jail.
Resisting an officer,	2	1 one year in penitentiary; 1 twenty-five days in county jail.
Larceny from person,	1	1 year in penitentiary.
Assault and battery,	1	Discharged.

In Justices' Courts.

Assault and battery,	90	62 fined; 2 imprisoned in county jail, 26 discharged.
Breach of the peace	4	Fined.
Petit larceny.	3	1 fined; 2 discharged.
Selling liquor,	1	Fined (case of selling liquor to a married woman).

HURON COUNTY.

C. H. GALLUP, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	7	2 complaints withdrawn; 4 fined $5 each; 1 fined $25.
Indecent exposure of person,	2	Acquitted.
Embezzlement,	1	Acquitted.
Violation of liquor law,	2	1 fined $25 and 1 fined $100—3d offence.
Sabbath breaking,	1	No arrest.
Perjury,	1	Bound over—no information filed.
Arson with intent to defraud insurers,	1	Pending.
Lewd and las. cohabitation,	1	Pending.
Burglary,	1	3 years in State Prison.
Security to keep the peace,	1	Bond given.
Attachment for neglect of official duty,	1	Allowed.
Violation of game law,	2	Fined $5 each.
Larceny,	1	Plead guilty—discharged with reprimand and return of property.

INGHAM COUNTY.

S. D. BINGHAM, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery with intent to kill,	1	Convicted of assault and battery and fined $100.
Assault and battery,	9	1 fined $5; 2 fined $3 each; 1 jail 20 days; 4 acquitted; 1 escaped.
Adultery,	2	1 pending; 1 no examination.
Attempt to rape.	1	No trial.
Bastardy,	1	Escaped.
Embezzlement under sec. 5771 compiled laws,	1	Convicted at Nov. term, 1861, and taken to Supreme Court on bill of exceptions; exceptions overruled; sentenced to State Prison 7 years.
Embezzlement under sec. 5772 compiled laws,	1	Nol. pros.
Breaking the peace,	6	3 bound over; 2 discharged; 1 sentence suspended.
Forgery,	1	Discharged on examination.
Disorderly persons,	8	Not held under the statute.
Petit larceny,	10	1 fined $15; 2 fined $5 each; 1 Reform School; 1 settled; 2 acquitted.
Selling unwholesome provisions,	1	Discharged on examination.
Selling intoxicating liquors,	8	1 fined $10 and costs; 1 acquitted; 1 discharged.
Cruelty to animals,	1	Settled by complainant.
False pretenses,	1	Not tried.
Grand larceny,	1	Nol. pros.
Malicious injury to dwelling,	1	Fined $5 and costs.
Refusing to work on highway,	1	Fined $2 50 and costs.

IONIA COUNTY.

A. WILLIAMS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Burglary,	9	4 sent to State Prison: 1 for 1 year; 1 for 2 years; 1 for 5 years; 1 for 6 years; 4 acquitted on examination; 1 discharged by the nol. pros. of the information.
Stealing in a dwelling house,	1	Discharged on examination.
Petit larceny,	1	Acquitted.
Assault and battery,	12	All convicted and fined—fines paid.

ISABELLA COUNTY.

JAMES P. MOSHER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Larceny,	1	Pending.
Burglary,	1	Jail 60 days.

LAPEER COUNTY.

S. B. GASKILL, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Larceny,	3	2 pending; 1 sent to Reform School.
Burglary and larceny,	3	2 acquitted; 1 held to bail.
Assault and battery,	10	3 acquitted; 7 fined.
Constable refusing to pay over money collected by him,	1	Pending.
Embezzlement,	1	Acquitted.
Forgery and counterfeiting,	2	1 discharged; 1 recognized.
Defacing school house,	1	Fined $3.
Murder,	1	State Prison for life—solitary confinement.
Malicious trespass,	1	Fined $5.
Selling liquor,	1	Fined $10 and costs.
Refusing to do duty as public officer,	1	Acquitted.
Assault with intent to rob,	2	Pending.
Disfiguring house,	2	Held to trial, broke jail and escaped.
Setting fire to shop,	3	2 acquitted; 1 pending.

LENAWEE COUNTY.

ANDREW C. MERCER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	1	Fined $10.
Adultery,	1	3 years in State Prison.
Attempt to murder,	5	2 four years in State Prison each; 2 convicted of assault and battery, 6 months in jail; 1 nolle prosequi entered.
Burglary,	1	4 years in State Prison.
Beastiality,	1	Pending.
Forgery,	1	2½ years in State Prison.
Grand larceny,	4	2 five years each in State Prison; 1 acquitted; 1 nol. pros. entered.
Compound larceny,	5	1 sentence suspended; 1 broke jail before trial; 2 acquitted; 1 nol. pros. entered.
Petit larceny,	4	2 fined $20 each and costs—paid; 2 acquitted.
Lewd and las. cohabitation,	2	Pending.
Passing counterfeit bill,	1	2½ years in State Prison.
Manslaughter,	1	Acquitted.
Attempt to commit rape,	1	10 years in State Prison.
Suborning witness,	1	Acquitted.

LIVINGSTON COUNTY.

M. B. WILCOX, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	5	1 fined $25; 1 fined $20; 1 fined $5; 1 thirty days in jail; 1 pending.
Carrying implements into jail to facilitate escape of prisoner,	1	90 days in jail.
Arson,	1	Discharged on examination.
Injury to dwelling house,	1	Discharged on examination.
Assault with intent to kill,	2	Pending.
Selling mortgaged property with intent to injure mortgagee,	2	Pending.

MACOMB COUNTY.

ELISHA F. MEAD, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder,	1	Acquitted.
Embezzlement,	1	State Prison 1 year and 6 months.
Felonious assault,	4	2 acquitted; 1 convicted of assault and battery and sentenced to 6 months in Detroit House of Correction; 1 pending.
Manslaughter,	1	Nol. pros. entered.
Maliciously killing horse,	2	1 pending; in other case reasons were filed for not filing information.
False pretences,	1	Pending.
Burglary,	2	1 convicted, sent to Reform School till 21 years of age; in the other case nol. pros. was entered.
False imprisonment,	1	Pending.
Adultery,	2	Nol. pros. entered in each.
Larceny,	2	In 1 case deft. died in jail; the other was sent to Reform School till 21 years of age.
Perjury,	3	2 pending; in other case reasons for not filing information were filed.

MARQUETTE COUNTY.

DAN. H. BALL, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	13	1 fined $20 and costs; 2 fined $10 and costs; 1 fined $6 and costs; 1 fined $5 and costs; 8 fined $3 and costs; 1 county jail 5 days; 3 disch'g'd; 1 not found.
Assault with intent to commit murder,	2	Discharged on examination.
Mallcious injury to building,	2	1 pending; 1 discharged by justice.
Lewd and lascivious behavior,	1	Discharged.
To keep the peace,	5	4 recognized for 1 year; 1 discharged.

MIDLAND COUNTY.

L. P. BAILEY, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Grand larceny,	1	State Prison 2 years.
Forgery,	2	1 State Prison 2 years; 1 pending.
Assault and battery,	2	1 fined $10; 1 discharged.

MONROE COUNTY.

EDWIN WILLITTS, *Pros. Att'y.*

Murder,	2	1 hung himself in jail before trial; 1, 2d degree, sentenced to State Prison for life.
Assault and battery,	60	12 settled under the statute; 1 forfeited bail; 11 acquitted; 34 convicted and fined and imprisoned; 2 discontinued.
Grand larceny,	9	3 sentence suspended; 1 State Prison 5 years; 1 jury disagreed; 1 State Prison 2 years; 1 county jail 60 days; 1 House of Correction 6 months; 1 nolle pros.
Petit larceny,	6	2 acquitted; 2 House of Correction 90 days each; 1 fined $10 and costs; 1 fined $5 and costs.
Larceny,	4	1 escaped; 3 sent to Reform School.
Larceny of bank notes,	1	Acquitted.
Seduction,	2	1 forfeited bail; 1 nolle pros.
Perjury,	1	Nolle pros.
Adultery,	1	State Prison 2 years.
Breaking jail,	1	Convicted.
Conspiracy,	1	Nolle pros.
Malicious trespass,	2	1 acquitted; 1 nolle pros.
Bringing liquor into jail,	1	House of Correction 1 year.
Forgery,	1	Discontinued.
Selling liquor,	12	Convicted and fined.
Bastardy,	3	2 settled by giving bonds; 1 discontinued.
Embezzlement under chattel mortgage law,	1	Settled.
Security of the peace.	4	2 bonds 6 months each; 2 bonds 1 year each.

MONTCALM COUNTY.

C. C. ELLSWORTH, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Bastardy,	1	Pending.
Polygamy,	1	Pending.
Assault and battery,	5	1 fined $5; 2 fined $2 50 each; 2 discontinued.
Embezzlement,	1	Discontinued after examination before justice.
Willful trespass and destruction vegetables in garden in night time,	1	Fined $5.

MUSKEGON COUNTY.

HENRY H. HOLT, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	18	13 fined and paid; 1 fined and committed; 4 acquitted.
Petit larceny,	4	3 committed to jail 3 months each; 1 acquitted.
Assault with intent to rape,	1	Acquitted.
" " " murder,	1	Discharged.
Disorderly persons,	7	Required to give surety to keep the peace.

OAKLAND COUNTY.

JUNIUS TEN EYCK, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Grand larceny,	12	2 pending; 1 House of Correction 6 months; 2 dismissed; 7 entered recognizance.
Petit larceny,	17	4 sent to Reform School; 6 county jail 10 days; 2 discontinued; 2 discharged; 1 jail 15 days; 1 fined $12; 1 House of Correction 90 days.
Receiving stolen property,	1	Discharged.
Stealing from person,	2	Committed on examination.
Keeping billiard table,	4	Fined $10 each and under recognizance not to keep table for 1 year.
Malicious injury to toll gate,	4	On recognizance to appear at Circuit Court.
Malicious mischief,	1	On recognizance to appear at Circuit Court.
Embracery,	1	Pending in Circuit Court.
Perjury,	6	1 pending; 2 on recognizance to appear, 3 discharged.
Bastardy,	1	Gave bail for support of child.
Resisting public officer,	4	1 fined $25; 3 nolle pros. entered.
Forgery,	1	Pending.
Complaint to prevent breach of peace,	6	Recognized to keep the peace.
Lascivious cohabitation,	2	Bound over for trial.
Burglary,	1	Bound over for trial.
Keeping disorderly house,	7	Each in jail 10 days.
Assault and battery,	73	22 fined; 47 discontinued; 4 sent to county jail.

ONTONAGON COUNTY.

GEORGE C. JONES, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault with intent to kill,	1	Pending.
Assaulting and obstructing an officer in service of process,	1	Pending.
Opposing an officer,	1	Pending.
Assaulting and obstructing an officer,	1	Tried and acquitted.

OTTAWA COUNTY.

MOSES B. HOPKINS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder,	3	Acquitted.
Perjury,	3	1 dismissed ; 1 no information filed ; 1 pending.
Assault with intent to murder,	1	Discharged on examination.
Larceny from dwelling house in day time,	1	Plead guilty ; fined $15 or 60 days in jail—paid.
Grand larceny,	8	1 fined $25 or 30 days in jail—served his time ; 1 sentenced 2 years in State Prison ; 1 escaped from jail before trial.
Burglary from dwelling house in day time,	2	Examined and discharged.
Rape,	1	Pending.
Forgery,	1	Pending.
Willful and malicious injury to dwelling house,	3	1 volunteered in army ; 2 pending.
Aiding a prisoner to escape from jail,	1	Pending.
Resisting an officer,	1	Pending.
Adultery,	2	Out of State—not yet arrested.
Malicious mischief in cutting cattle,	1	Examined and discharged.
Obstructing officer in service of process,	3	Examined and discharged.
Petit larceny,	6	1 case complainant acknowledged satisfaction, defendant paid costs and was discharged ; 1 convicted and appealed ; dismissed on informality of Justice's return ; 2 acquitted ; 2 fined—1 $8, and 1 $5.
Assault and battery,	10	1 fined $5 and costs ; 1 sentenced to 48 hours in jail ; 1 fined $12 and costs—appealed ; 1 fined $10 and costs ; 1 escaped before trial ; 1 fined $1 and costs ; 1 fined $5 and costs, and appealed ; 2 fined $5 and costs each ; 1 acquitted.

SAGINAW COUNTY.

WM. H. SWEET, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	19	All convicted and fined.
False pretences.	1	Settled by parties and nolle pros. entered.
Perjury,	1	Nolle pros. entered.
Disorderly persons,	5	All convicted and sentenced as follows: 2 sixty days each in county jail; 1 fined $5; 1 fined $20; 1 fined $5.
Larceny,	11	10 convicted; 1 acquitted.
Bound over to keep the peace,	6	
Passing counterfeit money,	8	1 discharged; 2 pending.
Burglary,	3	State Prison 8 months.
Seduction,	3	Held to bail; all cases ended in matrimony; nolle pros entered in each case.
Assault with intent to kill,	2	Pending.
Maiming animals,	1	20 days in jail.

ST. CLAIR COUNTY.

B. C. FARRAND, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Burglary,	4	1 sent to State Prison for 10 years; 1 for 2 y'rs; 2 pending.
Rape,	1	Pending.
Larceny,	11	3 sent to Reform School; 1 to State Prison; 3 to House of Correction; 2 acquited; 2 pending.
Kidnapping,	2	Acquitted.
Uniting in matrimony contrary to law,	1	Convicted and fined.

SANILAC COUNTY.

WILLIAM S. MILLS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Murder,	1	State Prison 5 years.
Bastardy,	1	Compromised and discontinued.
Forgery,	1	Pending.
Resisting an officer,	2	Reasons for not filing informations filed.
Escaping from an officer,	2	" " " " "
Larceny,	3	2 informations filed, recognizances forfeited, and judgment taken upon them; 1 information filed and recognizance forfeited.
Assault and battery,	9	3 convicted and fined; 1 acquitted; 5 pending.
Fraudulent disposal of mortgaged property,	1	Acquitted.
Malicious destruction of property,	1	Pending.
Attempt to commit rape,	1	Discharged on examination.
Disturbing religious meeting,	8	Acquitted.

SHIAWASSEE COUNTY.

S. B. RAYNALE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Breaking jail,	2	Acquitted.
Rape,	1	Acquitted.
Passing counterfeit money,	3	2 acquitted; 1 nolle pros. entered and enlisted.
Threats,	1	Bonds in $200 to keep the peace.
Petit larceny,	5	2 sent to House of Correction; 1 fined $30; 2 acquitted.
Grand larceny,	1	3 years in State Prison.
Lewd las. cohabitation,	1	90 days in county jail.
Assault with intent to commit a rape,	1	Tried, jury disagreed; remanded to jail until next term.
Willful injury to house and personal property,	2	Fined $20 each.
Assault and battery,	5	2 acquitted; 1 fined $20; 1 fined $15; 1 fined $3.
Burglary.	2	1 acquitted; 1 enlisted and not tried.

ST. JOSEPH COUNTY.

WILLIAM SADLER, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Burning grain stacks,	2	1 fined $150 or 2 years in State Prison; 1 acquitted.
Assault with intent to commit rape,	1	7 years in State Prison.
Forgery,	2	1 State Prison 4 months; 1 enlisted and sentence suspended.
Burning wood pile,	1	On bail; not tried.
Seduction,	3	2 married complainants; 1 ran away.
Huxtering without license,	2	Fined $25 each—paid.
Keeping billiard tables,	1	Fined $10 and costs—paid.
Horse stealing,	1	State Prison 4 years.
Grand larceny,	3	1 State Prison 3 years; 1 for 4½ years; 1 for 3 years.
Petit larceny,	9	2 fined $25 each—paid; 1 county jail 40 days; 1 discharged; balance paid costs.
Violation of liquor law,	15	4 fined $10 each and costs; 3 fined $20 each and costs; 2 for 3d offense, the prosecuting witness did not appear; 6 paid costs, and suits were discontinued.
Secreting stolen goods, knowing them to have been stolen,	2	1 State Prison 4 years; 1 sentence suspended.
Prosecutions to keep the peace,	4	All gave bail and paid costs.
Assault and battery,	3	1 county jail 80 days and paid costs of prosecution; 1 fined $7—paid; 1 fined $20 and costs—paid.
Bastardy,	3	1 gave bail; 1 was and is in the army; 1 ran away.

TUSCOLA COUNTY.

H. P. ATWOOD, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	4	1 fined $20 and costs; 1 fined $5 and costs; 1 acquitted; 1 settled by parties.
For sureties of the peace,	3	2 gave bail for $200 each; 1 discharged.

VAN BUREN COUNTY.

CHANDLER RICHARDS, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Forgery,	1	Pending.
Obtaining money under false pretenses,	1	1 year in State Prison,
Larceny,	1	Sent to Reform School.
Keeping billiard table.	1	Fined.
Rape.	1	Pending.

In Justice's Court.

Violation of liquor law.	6	Fined $10 each.
Assault and battery,	6	1 acquitted; 5 fined.
Larceny,	2	1 fined; 1 imprisoned in jail.
Disposing of chattel mortgaged property with intent to defraud,	2	Convicted and appealed to Circuit Court.

WASHTENAW COUNTY.

A. D. CRANE, *Pros. Att'y.*

CHARGES.	No.	CONDITION OF CASES.
Assault and battery,	5	2 convicted and appealed; 1 30 days in jail; 1 settled; 1 acquitted.
Burglary and larceny,	6	2 tried and acquitted; 2 sent to State Prison 2 years each; 1 sent to State Prison for 1 year; 1 sentence suspended, having given evidence for State.
Larceny,	3	1 acquitted on grounds of insanity; 1 no information filed; 1 one year in State Prison.
Perjury,	6	5 pending; 1 discharged.
Bastardy,	2	1 convicted; 1 pending.
Larceny from dwelling,	2	1 two years in State Prison; 1 pending.
" " shop,	1	Sentence suspended.
" " shop, in night time,	1	Pending.
" " shop, in day time,	1	Pending.
Indecent exposure of person,	1	Nolle prosequi.
Obtaining property by false pretense,	4	2 pending; 1 acquitted; 1 recognized to appear in $500—failed to appear—judgment rendered on recognizance for $500.
Resisting an officer,	1	Acquitted.
Malicious injury to dwelling,	1	Pending.
Murder,	1	Convicted of manslaughter; 2 years in S. prison.
Larceny from person,	2	Pending.
Burglary,	1	Pending.
Attempt to break and enter dwelling house in night time, with intent to commit rape,	1	Pending.

WAYNE COUNTY.

D. E. HARBAUGH, *Pros. Att'y.*

Recorder's Court of Detroit City.

CHARGES.	No.	CONDITION OF CASES.
Larceny,	46	7 acquitted; 1 nol. pros.; 1 died before trial; 1 discharged after conviction; 2 discharged on own recognizance, jury disagreed; 3 not sentenced; 5 pending; 2 State Prison for 1 year; 2 for 2 years; 3 for 3 years; 5 Reform School; 14 House of Correction; 10 for 1 year; 2 for 6 months; 1 for 60 days; 1 for 40 days.
Burglary and larceny,	6	1 nol. pros.; 1 discharged on own recognizance; 4 convicted; 1 insane, given to friends; 1 State Prison 15 months; 2 State Prison 2 years.
Bigamy,	1	State Prison 3 years.
Robbery,	2	1 State Prison 2 years; 1 for 4 years.
Assault and battery,	4	2 House of Correction 1 year; 1 fined $40 or House of Correction 3 months; 1 fined $20 or House of Correction 40 days—both fines paid.
Manslaughter,	3	2 acquitted; 1 jury disagreed.
Assault with intent to murder,	1	Convicted—State Prison 5 years.
Receiving stolen goods,	5	1 acquitted; 2 tried, jury disagreed; 1 sent to House of Correction 1 year; 1 nol. pros.
Seduction,	2	1 tried, jury disagreed; 1 not prosecuted.
Adultery,	2	1 acquitted; 1 nol. pros. by order of Court.
Lewd and lascivious cohabitation,	1	House of Correction 6 months—taken to Supreme Court—judgment reversed.
Passing counterfeit money,	1	Convicted—discharged—insane.
Carnally knowing and abusing child under 10 years of age,	1	Convicted of assault—House of Correction 6 months.
Conspiracy to cheat and defraud,	1	Convicted—no sentence—taken to Supreme Court, conviction affirmed.
Putting in circulation bank bill where no bank in existence,	1	Tried—jury disagreed—defendant discharged on own recognizance.
Attempt to commit larceny,	1	Recognizance forfeited—judgment.

In Wayne Circuit Court.

Larceny,	5	1 acquitted; 2 State Prison 2 years; 1 State Prison 3 years; 1 House of Correction 1 year.
Forgery,	1	Acquitted.
Rape,	1	Guilty of assault and battery, House of Correction 20 days.
Injury to dwelling-house,	1	Pending.
Stoning cars,	2	1 acquitted; 1 convicted—sentence suspended.
Seduction,	2	1 pending; 1 convicted—not sentenced—to Supreme Court.
Assault with intent to murder,	2	1 jury disagreed; 1 convicted of assault and battery—House of Correction 90 days.
Breaking into house with intent to commit rape,	1	Convicted of assault and battery—House of Correction 90 days.
Assault with intent to rape,	1	Convicted of assault and battery—House of Correction 1 year.
Murder,	1	State Prison 15 years.
Violation of liquor law,	2	Appealed—recognizance forfeited in both cases.
Assault and battery,	2	" " " "